



STATE PROCUREMENT OFFICE  
NOTICE OF REQUEST FOR EXEMPTION  
FROM HRS CHAPTER 103D

13 AUG -6 P2:27

STATE PROCUREMENT OFFICE  
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Public Safety Department (PSD)  
Name of Requesting Department

Pursuant to HRS § 103D-102(b)(4) and HAR chapter 3-120, the Department requests a procurement exemption for the following:

1. Describe the goods, services or construction: Procurement of, shipment to the Kauai Community Correctional Center (KCCC) jobsite, and make fully operational at the earliest possible time, a 12.5 - 15.0 TON Roof Top Unit (RTU) that will provide the KCCC air that will be able to meet Environmental Indoor Air Quality as may be required by federal, state and/or county of Kauai agencies for a period of between twelve (12) to sixteen (16) months until a permanent replacement of the existing A/C system via the open and competitive public bidding process is made.	
2. Vendor/Contractor/Service Provider: To be determined via informal quotations.	3. Amount of Request: \$ Not to exceed an est. \$99,000
4. Term of Contract From: <u>CPO Approval</u> <u>8/6/13</u> To: <u>30 days from</u> <u>9/6/13</u> <u>CPO</u> <u>DA 8/19/13</u>	5. Prior SPO-007, Procurement Exemption (PE): None
6. Explain in detail, why it is not practicable or not advantageous for the department to procure by competitive means: The existing 1998 model, 15 TON RTU that provides conditioned air to several zones within the interior spaces of the existing KCCC main housing structure that houses staff and inmates is at the end of its life. The main KCCC building is an enclosed structure that does not have windows that can open. The replacement project is in the early stages of design and PSD and DAGS expect the project will be completed within twelve to sixteen months. However, the KCCC has run out of time with the existing unit. The maintenance vendor used by the facility has said that, "... nothing more can be done to this unit...". The KCCC needs an interim solution. Without this procurement exemption, the Department would be forced to evacuate all inmates and staff housed at the KCCC main building until the operating system could be restored. Inmates will have to be housed in other island facilities that are currently overcrowded. The Department will need to transport them back and forth for court dates. This simply is not feasible. As of July 29, 2013, the facility head count is 183 inmates.	
7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider: Efforts to date includes contacting equipment manufacturers and mechanical contractors with the appropriate licensing and other clearances to perform the work. One manufacturer, Carrier Corp has approximately the sized unit the mechanical engineer has stated would be capable of providing the need (i.e., 12.5 TON) over at its Kapolei Baseyard. Another vendor, Trane, has stated verbally that while it does not have either a 12.5 nor a 15T unit available in HI, it is confident that it could bring one to HI within a week of receipt of a purchase order; the third (York) and fourth (Daikin) indicated that none is available in HI and will take approximately 6 weeks for their units to arrive. Licensed contractors and the Carrier Corporation has urged a service partner to submit an independent quotation in the hopes of a more competitive price. The Department expects this response before the end of this week or early next week. Trane has also contacted its service partner to furnish a similar quote and provide a written assurance for the delivery from CA to HI not to exceed one week if they have the best price. The Department leans to a quickest time-based solution due to the urgency of	

8. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).

\*Point of contact (Place asterisk after name of person to contact for additional information).

Name	Division/Agency	Phone Number	e-mail address
Marc Yamamoto <i>msy 8/2/13</i>	Admin/ASO/Procurement ts & Contracts	(808) 587-1215	marc.s.yamamoto@hawaii.gov
John Borders	Admin/ASO/Capital Improvement Projects	(808) 587-3463	john.s.borders@hawaii.gov <i>John 8/1/13</i>

*All requirements/approvals and internal controls for this expenditure is the responsibility of the department.*

*I certify that the information provided above is, to the best of my knowledge, true and correct.*

*[Signature]*

Department Head Signature

*8/15/13*

Date

**For Chief Procurement Officer Use Only**

Date Notice Posted: *8/1/13*

Inquiries about this request shall be directed to the contact named in No. 8. Submit written objection to this notice to issue an exempt contract within seven calendar days or as otherwise allowed from date notice posted to:

state.procurement.office@hawaii.gov

Chief Procurement Officer (CPO) Comments:

Approval is granted for the period 08/06/13 to 09/15/13 and is based on the department's determination that it is critical to the health and safety of inmates and staff, to have an interim solution to the inoperative air conditioning unit at the Kauai Community Correction Center. Department is required to obtain a minimum of three quotes and documented on the form SPO-010, Record of procurement. This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply (i.e. vendor is required to be compliant on the Hawaii Compliance Express) and award is required to be posted on the Awards Reporting System. Copies of the HCE certificate and awards posting are required to be documented in the procurement/contract file.

If there are any questions, please contact Bonnie Kahakui at 587-4702, or [bonnie.a.kahakui@hawaii.gov](mailto:bonnie.a.kahakui@hawaii.gov).

☒ Approved

☐ Disapproved

☐ No Action Required

*[Signature]*  
Chief Procurement Officer Signature

*8/15/2013*  
Date